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SUBJECT: FRAUD SUMMARY - DUSHANBE, TAJIKISTAN

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Country Conditions

¶1. Tajikistan's continued poverty, high unemployment and dependence on remittances from family members abroad result in a significant number of working age Tajiks, mostly male, who leave Tajikistan for better prospects elsewhere. Until recently, approximately one million Tajiks out of a population of seven million worked abroad, most in the Russian Federation. However, the worldwide economic crisis has forced a number of unemployed Tajik citizens to return to Tajikistan. At the same time, living conditions in Tajikistan have become more difficult, with rising prices in rural and urban areas and continued energy shortages during winter months. According to the Committee of Statistics for the CIS countries, the inflation rate this year will reach 24%. Some 40% of Tajikistan's working age population is underemployed and half of the entire population live under the poverty line, earning less than one to two dollars a day. Unsatisfactory education and medical care, coupled with poor employment prospects continue to drive a significant portion of the educated working age population to seek better economic opportunities and living conditions abroad. With the recently signed decree on labor migration between Tajikistan and Saudi Arabia, part of the male working population forced to return from Russia may try to find low wage jobs in Saudi Arabia. Nevertheless, the deteriorating economic situation likely will contribute to increased fraudulent U.S. visa applications related to labor migration and illegal immigration.

NIV Fraud

¶2. Fraud in Tajikistan is much more primitive than that of fraudulent applicants in many other countries (petition-based fraud, for example). We uncover most fraud easily at the NIV window with a short interview. However, Post sometimes encounters relatively sophisticated attempts which require follow-up investigations and further action by the Fraud Prevention Unit or Regional Security Office. During the reporting period, Post saw two more H1B cases in which applicants did not qualify for positions for which they had petitions. In one case, the applicant's H1B petition was submitted by a medium sized convenience store/payroll management company (TFL) in Omaha, Nebraska, that was established by Tajik immigrants. The applicant was unable to conduct the interview in English, a requirement for the position of accounting manager as described in the petition. This petition was sent back to DHS for revocation. The other case is under investigation, as the petition was not found in PIMS. Both applicants have had previous refusals under different visa classifications.

¶3. Generally, when Post uncovers fraud, it is in connection with tourist (B1/B2) or student (F1) visas. The majority of mala fide NIV applicants intend to go to the United States for

economic reasons. Discovery often occurs during the initial application review or during the interview when it becomes apparent that the applicant does not intend to fulfill the stated purpose of the trip and seeks either to work illegally for a short time or to join relatives who have already illegally immigrated. Post currently sees an increase of applicants intending to emigrate to the United States. Applicants often submit false employment and invitation letters in support of their applications. Lexis/Nexis searches provide invaluable information in this regard. Post has encountered fraudulent applicants traveling in groups for various sporting events (usually wrestling, arm wrestling or judo/taekwondo) in the United States. During the reporting period Post adjudicated several groups of athletes who claimed their travel to the United States was for different sports competitions. Mala fide applicants in these groups are sometimes well prepared for the visa interview, often are supplied with genuine supporting documents, and sometimes accompany legitimate travelers. The Consular Section confirmed through local phone checks with families and ADIS information that the majority of members of such groups traveling with trainers or coaches have not returned. In addition, Post received a letter from an organizer of one of the wrestling events, Christopher Moen, and a DHS official in Colorado expressing concern about the no-show of Tajiks at wrestling competitions. During this reporting period, Post learned of at least one case when a Tajik with apparent strong ties through her international organization employer immediately resigned her job with immigrant intent shortly after arriving in the United States. These cases demonstrate some of the complexities in assessing legitimate travel to the United States under the current economic conditions in Tajikistan.

14. Documents are generally untrustworthy in Tajikistan, with signatures and seals often forged. The consular officer can detect many of these documents by asking for supporting information about the individual's work, economic situation and

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financial sponsorship or details of the proposed U.S. travel. Document forgers can be easily found in Tajikistan and provide fake job letters very inexpensively. However, not all fraudulent documents are necessarily forgeries. For a small bribe an applicant can have the appropriate government official write out a real birth or marriage certificate with false information, including all of the appropriate seals. Data mismatches usually make this sort of fraud easy to detect. Corrupt government officials continue to thwart attempts to tighten the issuance and regulations of national identity documents. Anti-corruption laws exist, but enforcement and implementation remain elusive, and internal controls on identity documents are lax.

15. As was noted in previous Fraud Reports, the majority of F1 visa applicants in Tajikistan wish to study English as a Second Language in schools or programs where large Tajik communities exist. Tajik students often have trouble proving their ability to fully finance their study in the United States. Post has seen attempts to work around this by presenting suspicious letters of support from sponsoring firms or organizations and inflated bank statements. Tajikistan remains a cash based economy, making it very difficult to confirm the real incomes of applicants. One indicator of fraud is a bank statement that shows an even number such as exactly USD 9,000 or 15,000 in the account. Anecdotal evidence suggests that an applicant can purchase such a statement for a hundred dollars; the money will be deposited into the account and will remain there for approximately a month.

16. Post frequently encounters fraudulent sponsorship letters provided by private organizations and companies. During this reporting period, post continued to have many cases where applicants presented documents on legitimate letterhead claiming that a government office, private company or local NGO would sponsor the full cost of an individual's English study in the United States - which made little sense in these instances. Follow up phone calls usually reveal that employers who have

signed the letter don't really intend to fund such training programs. In other cases, phone calls to official phone numbers provided on company/organization letterhead reach a private party with no relationship to the company or organization. In some cases where a relative (usually an "uncle") is claimed as the sponsor for the cost of study in the United States, fraud is commonly uncovered through contradictory information regarding trip details and financing provided by the sponsor and the person sponsored.

¶17. Applications for the 2009 Summer Work and Travel (SWT) program increased from 2008, the first year the program was carried out in Tajikistan. Post approved 121 out of 139 applications in 2009, and 18 were refused. In 2008 Post received 110 SWT J1 applications; 86 were granted visas while 24 were refused. Post plans to conduct a validation study based on records of the students' return received from local implementing agencies as well as ADIS information obtained by the Consular Section. The results will be reported separately to the Department of State.

IV Fraud

¶18. Post accepts and processes a limited number of I-130 petitions (on average one a month). Marriage fraud in Tajikistan is not common, although we have seen some cases among DV applicants. Tajik society is very traditional and is generally not open to marriage to foreign citizens. In addition, there are relatively few Tajik-Americans, eliminating the types of marriage fraud found in connection with larger diaspora communities.

DV Fraud

¶19. DV fraud in Tajikistan echoes that of the Central Asian region. Almaty and Tashkent have seen suspected sham marriages in Tajik DV cases they processed. Although it is difficult to draw conclusions based on unreliable high school equivalency documents, Tajiks fall roughly into two categories: agricultural laborers from villages and the mountains (unlikely to have earned a high school education) and city residents (often have college degrees in addition to high school equivalent education). In the past, Post saw several suspicious cases of children added to a DV case after notification and before the interview. In general, however, as Consular staff learned on a recent trip to observe IV processing in Almaty, most Tajik DV applicants are qualified.

ACS and U.S. Passport Fraud

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¶10. Post has not discovered any ACS or passport fraud in Tajikistan. Due to the small American citizen community, the Consular Officer and Embassy local staff often are personally acquainted with resident Americans. Few Tajiks have U.S. citizenship. Post has yet to issue more than five Consular Reports of Birth Abroad per year, and many of the Americans residents in Tajikistan have diplomatic or official passports. Passports rarely are lost or stolen, and in the past few years lost passports often were returned within one week. There are currently twelve children registered with the Embassy born to Tajik parents while in the United States (often as out-of-status students). This is an area of concern for post.

Adoption Fraud

¶11. On May 3, 2006, Tajikistan changed its Family Code to prohibit inter-country adoption of Tajik orphans. Though couples which consist of at least one Tajik citizen may be still allowed to adopt, all other adoptions by non-Tajik citizens are forbidden by Tajik law.

Use of DNA Testing

¶12. Post has not needed to require DNA testing of any

applicants.

Asylum and Other DHS Benefits Fraud

¶13. Post provides all assistance requested by DHS to verify documents such as birth certificates or proof of nationality/ethnicity, many of which have turned out to be fraudulent. No concrete asylum or other DHS benefits fraud has come to light in the past three quarters.

Alien Smuggling, Trafficking, Organized Crime, Terrorist Travel

¶14. Tajikistan is a source country for women trafficked through Kyrgyzstan and Russia to the United Arab Emirates, Turkey, and Russia for the purpose of commercial sexual exploitation. Women are also reportedly trafficked to Pakistan for the purposes of sexual exploitation and forced labor. Men are trafficked to Russia and Kazakhstan for the purpose of forced labor, primarily in the construction and agricultural industries. Boys and girls are trafficked internally for various purposes, including forced labor and forced begging. There have been no reports of trafficking in persons from or through Tajikistan to the Western Hemisphere.

¶15. Supporters of terrorist groups such as the Islamic Movement of Uzbekistan, the Islamic Jihad Union, al-Qaida, and the Eastern Turkistan Islamic Movement remain active in Central Asia, as do anti-Western, anti-semitic extremist organizations such as Hizb'ut-Tahrir. Members of the Islamic Movement of Uzbekistan have been arrested and convicted for organized crime, murder, and weapons charges in Tajikistan. Tajikistan is primarily a transit center for illegal terrorist travel. Canada and Mexico do not have diplomatic representation in Tajikistan, and EU consular officials have not reported any use of fraudulent U.S. passports or visas to assist visa applications to EU countries.

DS Criminal Fraud Investigations

¶16. The Regional Security Office and Consular Section maintain a close working relationship. Fraud, as stated above, is relatively simple. Post's fraud prevention manager, the consular section chief, may refer the occasional case to the RSO. The RSO in turn conveys the disposition of each case to the consular section chief. During the last year, the Regional Security Office and Consular Section have cooperated on various cases. One of these cases had been opened by the local authorities regarding a visa fixer and concluded with arrest and prosecution. The Consular Section also has provided information to the RSO regarding Internet fraud, such as fake conference invitation letters requiring advance hotel payment using State Department letterhead, which were seen several times this period.

Host Country Passport, Identity Documents, and Civil Registry

¶17. Post continues to have serious concerns about both the Ministry of Interior and the Ministry of Foreign Affairs' capacity in terms of the security and accountability of the passport issuance process. For example, physical presence of the passport applicant is often not necessary. All Tajik civil documents must be scrutinized carefully. Post encountered cases

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of previously issued applicants receiving new Tajik passports with identities to which they had no legal claim.

¶18. Many members of the Tajik elite have returned to using traditional names, eliminating the Russian variants of surnames (the "-ev" and "-ov" endings for example) and patronymics. Post continues to be cognizant of possible name variations to recognize any fraud such as visa reapplication under the "new" name to avoid discovery of adverse information or previous refusals.

Cooperation with Host Government Authorities

¶19. Document fraud is technically a criminal offense in Tajikistan. In combating these crimes, the Tajik Ministry of Foreign Affairs is at best an occasionally competent partner. The MFA periodically informs us by diplomatic note about the numbers of lost or stolen Tajik passports and also cooperates with Post's requests for verification of civil documents (though usually months later than requested). However, endemic corruption, shoddy record keeping, and lack of prosecution for document fraud limit the usefulness of cooperation.

Areas of Particular Concern

¶20. Despite some slowdown in applications during 2009, post has seen a steady increase in NIV applications since visa issuance began in 2006. This results from the overall low living standards in the country and increased awareness of the possibility of applying for a U.S. visa. Due to various factors mentioned above, Post expects that the number of applicants will increase in FY2010, albeit perhaps at a slower rate than in previous years. We will remain vigilant about potential group based fraud such as the recent cases of athletes. Post is also looking towards its third year of the Summer Work and Travel program in Tajikistan - and anticipates the number of applicants to continue to rise. Local facilitators already have expressed interest in promoting other programs such as au pair and the intern program. The increasing awareness by Tajiks of the opportunities a U.S. visa present combined with the difficult living situation in Tajikistan undoubtedly will lead to a rise in fraud, and Post expects that more sophisticated methods may be used to attempt to obtain visas fraudulently in the future.

Staffing and Training

¶21. Consular Chief and Fraud Prevention Manager is Elisabeth Wilson. Fraud Prevention FSN is Tahmina Dehoti. Tahmina Dehoti has taken PC542 - FSN Fraud Prevention Workshop in Washington and recently traveled to Uzbekistan to observe IV fraud prevention practices.

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